

United States District Court

District of Massachusetts

UNITED STATES OF AMERICA
v.

THOMAS STEEVES

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)
(For Offenses Committed On or After November 1, 1987)

Case Number: 1: 04 CR 10061 - 001 - WGY

Robert Wheeler
Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilt to violation of condition(s) I, II of the term of supervision.
☐ was found in violation of condition(s) _____ after denial of guilt.

Accordingly, the court has adjudicated that the defendant is guilty of the following violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
I	The defendant is to remain on home detention with electronic monitoring until room is available at the CCC, Lawrence, MA	10/12/07
II	The defendant shall refrain from the use of alcohol or drugs	10/12/07

☐ See continuation page

The defendant is sentenced as provided in pages 2 through ____ of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district with 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

11/02/07

Defendant's Soc. Sec. No.: xxx-xx-2240

Defendant's Date of Birth: 1969

Defendant's USM No.: 23626-038

Defendant's Residence Address:

Defendant's Mailing Address:

Same as above

Date of Imposition of Judgment

William G. Young
/s/The Honorable William G. Young
Signature of Judicial Officer

Judge, U.S. District Court

Name & Title of Judicial Officer

November 6, 2007
Date

AO 240D (Rev. 3/01) Judgment in a Criminal Case for Revocations: Sheet 2 - Imprisonment

CASE NUMBER: **1: 04 CR 10061 - 001 - WGY**

Judgment - Page of

DEFENDANT:

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **4 month(s)**

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district.

☐ at _____ on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before _____ on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Officer.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

AO 245D (Rev. 3/01) Sheet 3 - Supervised Release

CASE NUMBER: **1: 04 CR 10061 - 001 - WGY**
DEFENDANT:

Judgment - Page of

SUPERVISED RELEASEUpon release from imprisonment, the defendant shall be on supervised release for a term of **6 month(s)**☒ See continuation page

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.



The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)



The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated above).

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Continuation Page - Supervised Release/Probation

CASE NUMBER: 1: 04 CR 10061 - 001 - WGY
DEFENDANT:

Judgment - Page of

Continuation of Conditions of ☒ Supervised Release ☐ Probation

The defendant is to enroll in and complete the Rehabilitation & Health Program, 52 White St., East Boston

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Criminal No.
04-10061-WGY

* * * * *
UNITED STATES OF AMERICA
v.
THOMAS STEEVES
* * * * *

*
*
*
*
*
*

SENTENCING EXCERPT

BEFORE: The Honorable William G. Young,
District Judge

1 Courthouse Way
Boston, Massachusetts

November 2, 2007

1 **THE COURT:** All right.

2 Mr. Thomas Steeves, in consideration of your
3 violation of the terms of your probation, the information
4 from the United States Attorney, your attorney and yourself,
5 this Court revokes your probation, commits you to the
6 custody of the United States Attorney General for a period
7 of four months, to be followed by six months' supervised
8 release, and the special condition of the supervised release
9 is that you get into and complete that program in those six
10 months. Probation will help you get back into this program
11 and will do everything they can to assist you. I want very
12 much to believe you. I want to extend that help to you, the
13 six months. But, as I've expressed myself, I believe a
14 period of incarceration is appropriate; four months is
15 sufficient.

16 I have five days within which to revise and revoke
17 this sentence. Counsel are instructed within the five days
18 to analyze the legality of the sentence. If this sentence
19 is in any respect illegal, Mr. Steeves, I'm trying to help
20 you out here, candidly, and protect the public as well, but
21 if the sentence is illegal, I must follow the law and I will
22 revise it in a manner to follow the law.

23 That's the sentence of the Court. If I don't
24 revise it, you have the right to appeal from any findings or
25 rulings I've made against you. If you appeal and your

1 appeal is successful in whole or in part and the case
2 remanded you'll be resentenced before another judge.

3 Mr. Wheeler, if you want transcript, I instruct
4 you, you apply to this Court before noticing an appeal so I
5 can turn around the transcript order right away.

6 Do you understand?

7 **MR. WHEELER:** Yes, sir, I do.

8 **THE COURT:** Now, I have an issue about reporting.
9 Shall I take him into custody or shall we allow him to
10 self-report? This is a short sentence. It probably will be
11 a jail sentence as opposed to a Bureau of Prisons sentence.

12 Mr. Feeley first.

13 **MR. FEELEY:** Well, certainly, your Honor, if it is
14 determined that this Court lacks authority to impose a
15 period of --

16 **THE COURT:** But that's --

17 **MR. FEELEY:** -- supervision --

18 **THE COURT:** But that will require a rehearing.

19 **MR. FEELEY:** Right.

20 **THE COURT:** You've got five days --

21 **MR. FEELEY:** Okay.

22 **THE COURT:** -- to advise me about the legality, and
23 then I'm going to start afresh and see what the balance of
24 needs are. Of course I'll follow the law.

25 **MR. FEELEY:** All right.

1 **THE COURT:** My question is assume I'm right.

2 **MR. FEELEY:** All right. And that a period of
3 incarceration will in fact be imposed?

4 **THE COURT:** Yes, that it's four, and it's four
5 months, to be followed by six months' supervised release in
6 this program.

7 **MR. FEELEY:** Your Honor, the government has no
8 problem with a seven day remand order.

9 **THE COURT:** Yes.

10 **MR. WHEELER:** I think there's no question about his
11 reliability, your Honor.

12 **THE COURT:** Well, it's not his -- I'm sure -- I'm
13 perfectly well satisfied that he will report. I'm concerned
14 about the period within the seven days. But I will accept
15 that concern and take the responsibility for it.

16 He's to report to the place of incarceration seven
17 days from today's date, and that is Friday, the 9th of
18 November.

19 (Whereupon the Court and the Clerk conferred.)

20 **THE COURT:** And, Mr. Wheeler and Mr. Steeves, you
21 must now go to the Marshals and tell them the sentence of
22 the Court. And if he's to report within seven days, because
23 as Ms. Smith points out to me, since he's not on supervised
24 release he's not in the system that we follow. Go to the
25 Marshals Office.

1 **MR. FEELEY:** Your Honor, if the Court could
2 slightly adjust its remand order so that Mr. Steeves be
3 required to report to the United States Marshals Office in
4 this building by noontime next Friday. There will not be,
5 in my experience, your Honor, an actual designation.

6 **THE COURT:** I accept the modification. And so
7 you're clear, Mr. Steeves, you've got to come back to the
8 Marshals Office noon next Friday, that's where you are to
9 surrender yourself. Go down there now so that they're aware
10 of the Court's order.

11 That's the order of the Court.

12 **MR. FEELEY:** Thank you, your Honor.

13 **THE COURT:** Thank you.

14 (Whereupon the matter concluded.)
15
16
17
18
19
20
21
22
23
24
25